

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

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4 SUMITOMO RELATY & DEVELOPMENT  
CO., LTD.,

5 Plaintiff,

6 vs.

7 TERUKO KAMADA PROCTOR,

8 Defendant.

2:19-cv-1899-GMN-VCF

**ORDER**

9 Before the court is the proposed Discovery Plan and Scheduling Order (ECF No. 12). Plaintiff  
10 requests that discovery will take 180 days from the date on which the Motion to Dismiss is adjudicated.  
11 *Id.* at 2.

12 The court will treat the proposed Discovery Plan and Scheduling Order (ECF No. 12) as a  
13 stipulation to stay discovery.

14 When evaluating a request to stay discovery while a dispositive motion is pending, the court  
15 initially considers the goal of Federal Rule of Civil Procedure 1. The guiding premise of the Rules is that  
16 the Rules “should be construed and administered to secure the just, speedy, and inexpensive determination  
17 of every action.” FED. R. CIV. P. 1. It needs no citation of authority to recognize that discovery is  
18 expensive. The Supreme Court has long mandated that trial courts should resolve civil matters fairly but  
19 without undue cost. *Brown Shoe Co. v. United States*, 370 U.S. 294, 306 (1962). This directive is echoed  
20 by Rule 26, which instructs the court to balance the expense of discovery against its likely benefit. *See*  
21 FED.R.CIV.P. 26(B)(2)(iii).

22 The court finds good cause to stay discovery. The parties will not need to incur unnecessary  
23 discovery costs during the pendency of the motion to dismiss. *See* FED. R. CIV. P. 1.

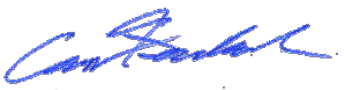
24 Accordingly, and for good cause shown,  
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1 IT IS ORDERED that the parties' stipulation to stay discovery (ECF No. 12) is GRANTED. In  
2 the event resolution of Defendant's motion to dismiss (ECF No. 6) does not result in the disposition of  
3 this case, the parties must file a new joint discovery plan within 21 days of the issuance of the order  
4 deciding that motion.

5 IT IS FURTHER ORDERED that discovery is STAYED pending further order of the court.

6 IT IS FURTHER ORDERED that a status hearing is scheduled for 10:00 AM, July 6, 2020, in  
7 Courtroom 3D.

8 DATED this 31st day of December, 2019.

  
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9 CAM FERENBACH  
10 UNITED STATES MAGISTRATE JUDGE  
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